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# HOUSE RESEARCH ORGANIZATION

## daily floor report

Tuesday, March 19, 2019  
86th Legislature, Number 30  
The House convenes at 10 a.m.

Nine bills are on the daily calendar for second reading consideration today. The table of contents appears on the following page.

The following House committees were scheduled to hold public hearings at 8 a.m.: Insurance in E2.014; Licensing and Administrative Procedures in E2.028; Public Education in E2.036. The following House committees were scheduled to hold public hearings at the noted time or on adjournment/recess or bill referral if permission granted: Human Services at 10:30 a.m. in E2.030; Business and Industry at 10:30 a.m. in E2.016; Natural Resources at 10:30 a.m. in E2.010; and Culture, Recreation and Tourism at 2 p.m. in E1.014. The House Resolutions Calendars Committee was scheduled to hold a formal meeting on adjournment/recess or bill referral if permission granted in 1W.14 (Agricultural Museum).



Dwayne Bohac  
Chairman  
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## **HOUSE RESEARCH ORGANIZATION**

### **Daily Floor Report**

**Tuesday, March 19, 2019**

**86th Legislature, Number 30**

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**SUBJECT:** Offering leave for state employees who are search and rescue volunteers

**COMMITTEE:** State Affairs — favorable, without amendment

**VOTE:** 13 ayes — Phelan, Hernandez, Deshotel, Guerra, Harless, Holland, Hunter, P. King, Parker, Raymond, E. Rodriguez, Smithee, Springer

0 nays

**WITNESSES:** For — Travis Miller, Montgomery County Search and Rescue; (*Registered, but did not testify:* Joel Romo, Association of Texas EMS Professionals; Marshall Kenderdine, Texas Business First; Patrick Shipp, Texas Fire Chief Association; Walter West II, VHSE, RPT; Daniel Owens)

Against — None

**BACKGROUND:** Government Code sec. 661.905(b) entitles state employees who are volunteer firefighters and emergency medical services volunteers to a paid leave of absence of up to five days to attend fire or emergency medical training conducted by a state agency or institution of higher education.

Sec. 661.905(c) allows a state agency or institution of higher education to grant paid leave to volunteer firefighters and emergency medical services volunteers responding to an emergency fire or medical situation.

**DIGEST:** HB 41 would add state employees who were search and rescue volunteers to the list of emergency services volunteers entitled to a paid leave of absence for emergency training. It also would add search and rescue volunteers to the list of employees to whom a state agency or institution of higher education could grant paid leave to respond to an emergency event.

The bill would define a search and rescue volunteer as an individual who without remuneration, except reimbursement for expenses, provides services for or on behalf of a search and rescue organization.

This bill would take effect September 1, 2019.

**SUPPORTERS** HB 41 would remove barriers to serving in a crisis by allowing state

SAY: agencies and institutions of higher education to grant paid leave to search and rescue volunteers during a disaster in the same manner as they may grant it for volunteer firefighters and emergency medical services volunteers.

The bill's definition of search and rescue volunteers as members of an organization would provide oversight and structure, helping to ensure the time and resources of volunteers and the state were used effectively and responsibly.

OPPONENTS  
SAY: No concerns identified.

SUBJECT: Permitting underperforming campuses to operate as community schools

COMMITTEE: Public Education — favorable, without amendment

VOTE: 11 ayes — Huberty, Bernal, Allen, Ashby, K. Bell, M. González, K. King,  
Meyer, Sanford, Talarico, VanDeaver

0 nays

2 absent — Allison, Dutton

0 present not voting

WITNESSES: For — Gabriel Estrada, Austin Voices for Education and Youth; Barry Haenisch, Texas Association of Community Schools; Mercedes Quijije-Sudhoff; Irma Sandate; (*Registered, but did not testify*: Andrea Chevalier, Association of Texas Professional Educators; Steven Aleman, Disability Rights Texas; Betsy Singleton, League of Women Voters of Texas; Casey McCreary, Texas Association of School Administrators; Dominic Giarratani, Texas Association of School Boards; Ted Raab, Texas American Federation of Teachers (Texas AFT); Josette Saxton, Texans Care for Children; Paige Williams, Texas Classroom Teachers Association; Kristin McGuire, Texas Council of Administrators of Special Education; Mark Terry, Texas Elementary Principals and Supervisors Association (TEPSA); Buck Gilcrease, Texas School Alliance; Lisa Dawn-Fisher, Texas State Teachers Association; and six individuals)

Against — (*Registered, but did not testify*: Amy Hedtke)

On — (*Registered, but did not testify*: Joe Siedlecki, Texas Education Agency)

BACKGROUND: Education Code ch. 39A, subch. C governs turnaround plans for campuses that have been identified as unacceptable for two consecutive years.

Sec. 39A.107(a) allows the commissioner of education to approve a turnaround plan only if the commissioner determines that the campus will

satisfy all required student performance standards not later than the second year the campus receives a performance rating following the implementation of the campus turnaround plan. Under sec. 39A.107(c), if the commissioner does not approve a campus turnaround plan, the commissioner must order: appointment of a board of managers to govern the school district; alternative management of the campus; or closure of the campus.

Sec. 39A.111 requires the commissioner to order the appointment of a board of managers to govern the school district or to order the closure of the campus if the campus is considered to have an unacceptable performance rating for three consecutive school years after the campus submits a turnaround plan.

**DIGEST:**

HB 92 would allow a campus turnaround plan to permit a campus to operate as a community school. A plan to operate as a community school would have to include strategies and programs to coordinate academic, social, and health services and to reduce barriers to learning through partnerships and service coordination.

The bill would prohibit the commissioner of education from closing a campus under Education Code sec. 39A.107 or 39A.111 without allowing the campus the opportunity to operate as a community school under a turnaround plan with at least two years to implement the plan.

An underperforming campus choosing to operate as a community school would be required to:

- establish a school community partnership team composed of the members required for a campus-level planning and decision-making committee and additional community representatives;
- establish a partnership with a lead organization experienced in developing and implementing a community school plan; and
- designate a community school coordinator for the campus whose duties would include recruiting and coordinating services from community partners.

The bill would require a campus to obtain approval for a community

school plan from the school district's board of trustees and at least 75 percent of the campus faculty and staff and 75 percent of parents of students enrolled at the campus.

Community schools operating under a turnaround plan could provide programs and services that included early childhood education, after-school and summer school academic and enrichment programs, college and career preparation, service learning opportunities, leadership and mentoring programs, activities to encourage community and parent engagement, health and social services for students and their families, and parenting classes.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS  
SAY:**

HB 92 would allow underperforming schools to form partnerships with community organizations to address obstacles students face and thereby improve education outcomes.

Community schools address outside factors, such as homelessness, food insecurity, and lack of access to medical care, that affect children's educational performance. Community schools across the state have been shown to improve school attendance and academic performance by focusing on student and community needs and providing crucial services on-campus. These improvements have led to increased funding and further performance advancements.

To become a community school under a turnaround plan, a campus would have to obtain approval for the plan from campus faculty, the parents of enrolled children, and the district board of trustees. This would be different from other kinds of turnaround plans, which do not require community input, and it would help ensure that communities supported and engaged with campuses that became community schools.

The two-year turnaround period would allow the campus to reach its full potential. This would be a more reasonable approach than disruptive alternatives such as closing the school. If the school failed to improve its

performance after the two-year period, the commissioner would be able to consider other existing options under the Education Code.

**OPPONENTS  
SAY:**

HB 92 could remove vital state oversight by limiting the education commissioner's power to fix a failing school. By requiring the commissioner to provide the opportunity for an underperforming school to continue to operate as a community school, HB 92 could limit the commissioner's ability to make the best decision for students enrolled in the failing school.

**SUBJECT:** Prohibiting local ordinances against children's lemonade stands

**COMMITTEE:** State Affairs — committee substitute recommended

**VOTE:** 13 ayes — Phelan, Hernandez, Deshotel, Guerra, Harless, Holland, Hunter, P. King, Parker, Raymond, E. Rodriguez, Smithee, Springer  
0 nays

**WITNESSES:** For — Adam Cahn, Cahnman's Musings; Robin Lennon, Kingwood TEA Party, Inc.; Mikaila Ulmer, Me and the Bees; Steven Gordon, National Lemonade Day; Terry Holcomb, Republican Party of Texas; Branson Burton; Sidharth Srinivasan; (*Registered, but did not testify*: Paul Hodson and Shelby Williams, Convention of States; Judith McGeary, Farm and Ranch Freedom Alliance; James Lennon, Kingwood TEA Party; Fran Rhodes, NE Tarrant Tea Party; Richard Davey, Nettp; Gail Stanart and Summer Wise, Republican Party of Texas; Mark Ramsey, Republican Party of Texas, SREC SD7; Cary Cheshire, Texans for Fiscal Responsibility; Mia McCord, Texas Conservative Coalition; Jonathan Saenz, Texas Values; Nicole Hudgens, Texas Values Action; and 19 individuals)  
  
Against — None

**DIGEST:** CSHB 234 would prohibit local governments from adopting or enforcing a regulation on the occasional sale of lemonade or other nonalcoholic beverages by an individual under age 18 from a stand on private property.  
  
The bill would take effect September 1, 2019.

**SUPPORTERS SAY:** CSHB 234 would ensure that children across Texas were allowed the opportunity to run a lemonade stand on private property, thereby preserving a practice that teaches entrepreneurship, self-confidence, and financial skills. Local ordinances and rules can get in the way of this formative childhood experience.  
  
In addition to lemonade, the bill would exempt "other nonalcoholic

beverages" from local regulation to ensure that child entrepreneurs offering water, juice, Kool-Aid, or other beverages were protected from regulatory interference in the same way as children selling lemonade.

**OPPONENTS  
SAY:**

CSHB 234's prohibition of regulation of sales of "other nonalcoholic beverages" by children on private property could be too broad, potentially creating an unintended loophole for the unregulated sale of products that could need special handling or storage.

SUBJECT: Requiring child abuse prevention training for certain school administrators

COMMITTEE: Public Education — favorable, without amendment

VOTE: 12 ayes — Huberty, Bernal, Allen, Allison, Ashby, K. Bell, M. González, K. King, Meyer, Sanford, Talarico, VanDeaver

1 absent — Dutton

WITNESSES: For — James Caruthers, Children at Risk; Columba Wilson; (*Registered, but did not testify*: Betsy Singleton, League of Women Voters of Texas; Bill Kelly, City of Houston Mayor's Office; Christine Yanas, Methodist Healthcare Ministries of South Texas, Inc.; Alissa Sughrue, National Alliance on Mental Illness (NAMI) Texas; Will Francis, National Association of Social Workers-Texas Chapter; Kathryn Freeman, Texas Baptist Christian Life Commission; Jan Friese, Texas Counseling Association and Texas School Counselor Association; Jose Flores and Allison Franklin, Texas Criminal Justice Coalition; Kyle Ward, Texas PTA; Lee Nichols, TexProtects; Nataly Saucedo, United Ways of Texas; Lisa Flores)

Against — None

On — (*Registered, but did not testify*: Matt Montano, TEA)

DIGEST: HB 403 would require independent school district trustees and superintendents to complete training on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children.

Trustees would be required to complete one hour of training every two years. Superintendents would be required to complete at least two and a half hours of training every five years.

Superintendents subject to continuing education requirements immediately before the effective date of the bill would not be required to comply with the bill for any continuing education requirements period that

ended before January 1, 2021.

The bill would take effect September 1, 2019.

**SUPPORTERS  
SAY:**

HB 403 would protect children in Texas schools by equipping school district leadership with the tools to identify and report incidents of human trafficking and sexual abuse. Better understanding the risks would allow administrators to respond appropriately in their districts based on the local prevalence of sexual abuse and human trafficking and the specific needs of the school community.

By requiring training to be repeated every few years, the bill would ensure that school district leadership stayed up to date on the constantly changing nature of human trafficking in Texas.

**OPPONENTS  
SAY:**

The frequency with which the training required by HB 403 would need to be repeated could be unnecessary and could burden school administrators.

**OTHER  
OPPONENTS  
SAY:**

HB 403 could better protect students if the training specifically addressed the increased risks faced by children with disabilities. The bill also could be improved by explicitly requiring administrators to be trained in trauma-informed care.

SUBJECT: Requiring training to prevent abuse of children with cognitive disabilities

COMMITTEE: Public Education — committee substitute recommended

VOTE: 12 ayes — Huberty, Bernal, Allen, Allison, Ashby, K. Bell, M. González,  
K. King, Meyer, Sanford, Talarico, VanDeaver

0 nays

1 absent — Dutton

WITNESSES: For — Deborah Fine-Knapp, BeLydia; Wendy Davis, Rhea Shahane, and Jasmine Owen, Deeds Not Words; Steven Aleman, Disability Rights Texas; (*Registered, but did not testify*: Cynthia Humphrey, Association of Substance Abuse Programs; Andrea Chevalier, Association of Texas Professional Educators; Lauren Baker, Alma Baker, Claudia Yoli Ferla, Andrea Reyes, and Tatum Zeko, Deeds Not Words; Lisa Flores, Easter Seals Central Texas; Christine Yanas, Methodist Healthcare Ministries of South Texas, Inc.; Alissa Sughrue, National Alliance on Mental Illness (NAMI) Texas; Will Francis, National Association of Social Workers - Texas Chapter; Kristin McGuire, TCASE; Ted Raab, Texas AFT; Chris Kaiser, Texas Association Against Sexual Assault; Casey McCreary, Texas Association of School Administrators; Grover Campbell, Texas Association of School Boards; Kathryn Freeman, Texas Baptists Christian Life Commission; Sarah Crockett, Texas CASA; Shannon Noble, Texas Counseling Association; Mark Terry, Texas Elementary Principals and Supervisors Association; Michelle Romero, Texas Medical Association; Kyle Ward, Texas PTA; Lisa Dawn-Fisher, Texas State Teachers Association; Kyle Piccola, The Arc of Texas)

Against — None

On — (*Registered, but did not testify*: Eric Marin and Matt Montano, TEA)

BACKGROUND: SB 2039, enacted in 2017 by the 85th Legislature, amended Education Code sec. 38.0041 to expand a requirement that school districts and open-

enrollment charter schools implement certain policies addressing child maltreatment. SB 2039 added sex trafficking to the issues that must be addressed and allowed school districts to collaborate with local law enforcement and outside consultants to create the policy and a referral protocol for high-risk students.

**DIGEST:** CSHB 111 would reenact certain sections of the Education Code as amended by SB 2039 and would require existing training for school district and open-enrollment charter school employees on child maltreatment to include techniques for recognizing and preventing the sexual abuse, sex trafficking, and other maltreatment of children with significant cognitive disabilities. The training would use resources developed by the Texas Education Agency or the commissioner.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019. CSHB 111 would apply beginning with the 2019-2020 school year.

**SUPPORTERS SAY:** CSHB 111 would extend existing training requirements for public school employees to better protect the students most vulnerable to sexual abuse and human trafficking. Children with cognitive disabilities experience abuse and human trafficking at higher rates than children without disabilities and are less likely to report abuse. Awareness and prevention training that specifically highlights the risks disabled students face would help to decrease child abuse in the state.

The prevalence and seriousness of abuse of disabled children warrants prevention training in all districts across the state, regardless of size or location. Because the Texas Education Agency would develop resources for the training, local districts would not have to create new materials.

**OPPONENTS SAY:** CSHB 111 would add to existing statewide training requirements, rather than allowing a local approach based on the needs of each district.

SUBJECT: Excluding students who suffer serious injuries from school dropout rates

COMMITTEE: Public Education — favorable, without amendment

VOTE: 12 ayes — Huberty, Bernal, Allen, Allison, Ashby, K. Bell, M. González,  
K. King, Meyer, Sanford, Talarico, VanDeaver

0 nays

1 absent — Dutton

WITNESSES: For — Rex Burks, Simms ISD; (*Registered, but did not testify*: Andrea Chevalier, Association of Texas Professional Educators; Betsy Singleton, League of Women Voters of Texas; Deborah Caldwell, North East ISD; Ted Raab, Texas American Federation of Teachers; Barry Haenisch, Texas Association of Community Schools; Casey McCreary, Texas Association of School Administrators; Dominic Giarratani, Texas Association of School Boards; Paige Williams, Texas Classroom Teachers Association; Kristin McGuire, Texas Council of Administrators of Special Education; Mark Terry, Texas Elementary Principals and Supervisors Association; Kyle Ward, Texas PTA; Jerod Patterson, Texas Rural Education Association; Buck Gilcrease, Texas School Alliance; Lisa Dawn-Fisher, Texas State Teachers Association)

Against — None

On — (*Registered, but did not testify*: Jamie Crowe and Linda Roska, Texas Education Agency)

BACKGROUND: Education Code sec. 39.053(g-1) requires the commissioner of education to exclude from the computation of a school's dropout and completion rates students who:

- are ordered by a court to attend a high school equivalency certificate program;
- were previously reported to the state as dropouts;
- are in attendance but not in membership for average daily

attendance purposes;

- are unschooled asylees or refugees in certain grades;
- are detained in county juvenile detention facilities under certain conditions; and
- are incarcerated in state or federal facilities as adults.

**DIGEST:** HB 330 would add to the list of students excluded when calculating a public school's dropout and completion rates students who could not go to school because they suffered a condition, injury, or illness that required substantial medical care. The exemption would apply beginning with the 2019-2020 school year.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS SAY:** HB 330 would remove the unfair "dropout" label assigned to students forced to leave school because of severe injuries or illnesses. Students should not be classified as dropouts because of unfortunate circumstances outside of their control.

The bill also would ensure that a school district's accountability rating was not affected when a student left school because of a serious injury or illness that was outside of the district's control. The exemption is especially necessary in small and mid-sized school districts where a few dropouts could have a large impact on accountability ratings and result in decreased funding.

**OPPONENTS SAY:** HB 330 could allow school districts to misrepresent their dropout and completion rates. The bill would add an additional loophole to a system of computing dropout and completion rates that already contains several loopholes.

**SUBJECT:** Requiring online admission applications to link to employment data

**COMMITTEE:** Higher Education — favorable, without amendment

**VOTE:** 10 ayes — C. Turner, Stucky, Button, Frullo, Howard, E. Johnson, Pacheco, Schaefer, Smithee, Walle

0 nays

1 absent — Wilson

**WITNESSES:** For — Alexis Taylor, 3 Day Startup; Thomas Lindsay, Texas Public Policy Foundation; Madeline Krebs; (*Registered, but did not testify:* Ashley Williams, Center for Public Policy Priorities; Mike Meroney, Texas Association of Manufacturers; Justin Yancy, Texas Business Leadership Council)

Against — None

**BACKGROUND:** Education Code sec. 7.040 requires the Texas Education Agency to collaborate with the Texas Higher Education Coordinating Board and the Texas Workforce Commission (TWC) to collect information comparing institutions of higher education in the state.

The collected information must compare higher education institutions on cost, student retention and graduation rates, average debt and loan repayment rates, and student employment rate. The information must identify the state's future workforce needs and include annual wage information for the top 10 highest demand jobs in the state, as identified by the TWC. Public school students may request this information, and every institution of higher education must include the information on its website.

**DIGEST:** HB 277 would require electronic common admission application forms adopted by the Texas Higher Education Coordinating Board (THECB) to include a prominent link to a website containing comparative gainful employment data on higher education institutions, including information

collected by the Texas Education Agency. THECB would maintain the website using data compiled in coordination with the Texas Workforce Commission.

THECB and the governing board of a university system would implement this change as soon as practicable following the effective date but not later than January 1, 2020.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS  
SAY:**

HB 277 would help students applying to post-secondary institutions make informed decisions on the schools they wanted to attend and their chosen fields of study. Requiring electronic admission forms to include a link to data on job market conditions and the comparative costs and benefits of higher education institutions would give students better access to this information.

Although this information already has been gathered by state agencies, a student must request it through a guidance counselor to obtain it. HB 277 would remove this barrier, improving students' access to information and helping them focus on an academic path that would lead to full-time employment upon graduation. This could lower the cost of education, as fewer students would need to return to school to obtain a marketable degree, and could increase the number of workers in critical job markets.

**OPPONENTS  
SAY:**

HB 277 would create an unnecessary mandate for state agencies. Providing information related to career opportunities and in-demand jobs is the function of the private sector, and such activity should continue without government interference.

**SUBJECT:** Replacing the U.S. history end-of-course assessment with a civics test

**COMMITTEE:** Public Education — favorable, without amendment

**VOTE:** 12 ayes — Huberty, Bernal, Allen, Allison, Ashby, K. Bell, M. González, K. King, Meyer, Sanford, Talarico, VanDeaver

0 nays

1 absent — Dutton

**WITNESSES:** For — (*Registered, but did not testify*: Jane McFarland, League of Women Voters of Texas; Jerod Patterson, Texas Rural Education Association; Mary Castle, Texas Values; Nathan Balasubramanian; Maria Burford; Daphne Hoffacker; Thomas Ratliff)

Against — (*Registered, but did not testify*: Angela Smith, Fredericksburg Tea Party; Renee Blackmon, Texas Council for the Social Studies; Dee Carney, Texas School Alliance; Richard Bohnert; Matt Long; Joseph Murphy)

On — Meredith Norris, Generation Citizen; Laura Yeager, Texans Advocating For Meaningful Student Assessment (*Registered, but did not testify*: Kristi Hassett and Theresa Trevino, Texans Advocating For Meaningful Student Assessment; Jamie Crowe and Monica Martinez, Texas Education Agency; Scott Bush, Texas Social Studies Supervisors Association; Arthur Burford; Rhonda McGaughey; Claudia Pannell; Jennifer Rosenboom)

**BACKGROUND:** Education Code sec. 39.023(c) requires the Texas Education Agency to adopt end-of-course assessments for high school courses in Algebra I, biology, English I, English II, and U.S. history and requires school districts to administer these exams. Sec. 39.025 requires students to perform satisfactorily on end-of-course assessments to receive a high school diploma.

**DIGEST:** HB 1244 would require high school students to pass a civics test to

graduate and would remove the requirement for students to pass an end-of-course assessment in U.S. history.

The civics test would consist of all the questions on the civics test administered by U.S. Citizenship and Immigration Services as part of the naturalization process. The questions would have to be presented in a multiple-choice format. Students would have to answer at least 70 percent of the questions correctly to pass. School districts would administer the tests when the school counselor or teacher of the U.S. history course in which the student was enrolled determined the student was prepared.

The bill would require the commissioner of education to adopt rules that required:

- the test to be administered electronically in the presence of a teacher, teacher's aide, proctor, or campus testing coordinator and scored by those officials or by the school district; and
- the results of the test to be submitted to the Texas Education Agency by the last instructional day of the school year in which the test was administered.

The rules could not restrict the high school grade level at which the civics test could be taken or limit how many attempts a student could make to pass the test.

The admission, review, and dismissal committee for a student in special education would determine if any allowable modifications to the civics test were necessary and if the student would be required to pass the civics test in order to receive a high school diploma.

Students currently required to pass the U.S. history end-of-course exam would be allowed to satisfy this requirement by passing the civics test instead if they so chose. This provision would expire on September 1, 2027.

The bill would include the civics test in the list of high school end-of-course exams for the purposes of the public school accountability system. The commissioner would be required to determine the level of

performance needed on the civics test to indicate college readiness.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019, and would apply beginning with students entering the ninth grade in the 2020-2021 school year.

**SUPPORTERS  
SAY:**

HB 1244 would create productive and civically engaged high school graduates by ensuring they had demonstrated knowledge of the core principles of American civics. By using the civics test required to become a naturalized U.S. citizen, the material for which is already incorporated into state curriculum, the bill would ensure that all Texas high school graduates were equipped with civics knowledge.

The U.S. history end-of-course assessment is not required by federal law and is not an effective assessment of historical knowledge. Teachers still would be required to teach U.S. history and social studies in line with Texas Essential Knowledge and Skills standards.

Allowing students to take the exam when they were deemed prepared for it and as many times as needed to pass would reduce pressure on students by eliminating a stressful, high-stakes exam on a single testing day. It would relieve burdens on U.S. history teachers by allowing them to spend more time teaching core concepts in the history curriculum, rather than teaching to the end-of-course exam, and it would serve as a useful diagnostic tool to take corrective measures with students.

Replacing the U.S. history end-of-course assessment with a civics test could save the state about \$1.2 million in a biennium.

**OPPONENTS  
SAY:**

HB 1244 would not effectively assess civic knowledge among students and could lower the quality of civics education in Texas high schools. While civics education should be a core part of the history curriculum in Texas high schools, the U.S. Citizenship and Immigration Services Naturalization Exam would not be an effective measure of civics knowledge for students. That test is designed to measure a superficial level of civic knowledge rather than engagement with U.S. history and government.

HB 1244 could weaken civics education by encouraging teachers to teach to the proposed civics test. The test's format could prompt students to simply memorize the answers to multiple-choice questions. Allowing students to take a test as many times as necessary to pass would not improve their knowledge of the material. By setting too low a bar for assessing civics knowledge, this bill could undermine the aspect of the curriculum it seeks to strengthen.

If the goal is to incorporate civics education into the state curriculum, the best strategy would be to improve the existing U.S. history end-of-course assessment by adding civics questions.

OTHER  
OPPONENTS  
SAY:

HB 1244 would replace one high-stakes assessment with another. Students should not have their high school diplomas tied to passing such assessments.

NOTES:

According to estimates from the Legislative Budget Board, HB 1244 would have a positive impact of \$1.2 million through fiscal 2020-21.

SUBJECT: Barring open-enrollment charter schools from operating on Memorial Day

COMMITTEE: Public Education — favorable, without amendment

VOTE: 12 ayes — Huberty, Bernal, Allen, Allison, Ashby, K. Bell, M. González,  
K. King, Meyer, Sanford, Talarico, VanDeaver

0 nays

1 absent — Dutton

WITNESSES: For — (*Registered, but did not testify*: Andrea Chevalier, Association of Texas Professional Educators; Casey McCreary, Texas Association of School Administrators; Grover Campbell, Texas Association of School Boards; Kyle Ward, Texas PTA; Lisa Dawn-Fisher, Texas State Teachers Association)

Against — None

On — (*Registered, but did not testify*: Eric Marin and Heather Mauze, Texas Education Agency)

DIGEST: HB 109 would prohibit open-enrollment charter schools from operating on Memorial Day. If a school would be required to provide instruction on Memorial Day to compensate for minutes of instruction lost due to a calamitous event, the education commissioner would be required to approve a reduction in the required minutes of instruction for that school for the school year. The bill would apply beginning with the 2019-2020 school year.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

SUPPORTERS SAY: HB 109 would recognize the importance of Memorial Day by prohibiting open-enrollment charter schools from providing instruction on that day. The rule is already in place for school districts, and the bill would extend

the provision to cover open-enrollment charter schools.

OPPONENTS  
SAY:

No concerns identified.